

a municipal corporation of the state of
Washington, 200 West Mercer Street, Room 205,
Seattle, Washington 98119-3958

VS

LONE STAR NORTHWEST
Washington General Partnership
Partners: Onoda Northwest Inc.
Lone Star Industries, Inc.
5975 E. Marginal Way South
PO Box 1730
Seattle, Washington 98111

NO. 7216

LDWSF12.354

08/15/90

NOTICE AND ORDER
OF CIVIL PENALTY

You are hereby notified that, pursuant to RCW 70.94, you are in violation of Regulation I of the Puget Sound Air Pollution Control Agency and a fine of \$1,000.00 is assessed against you. The violation is as follows:

On or about the 27th day of June 1990, in King County, state of Washington, you violated Sections 5.05(e) and 9.15(b) of Regulation I.

Section 5.05(e) states: "Owners or operators of air contaminant sources subject to Section 5.03 above shall develop and implement an operation and maintenance plan to assure continuous compliance with Regulations I and II. A copy of the plan shall be filed with the Control Officer upon request. The plan shall reflect good industrial practice and shall include, but not be limited to, the following: (1) Periodic inspection of all equipment and control apparatus; (2) Monitoring and recording of equipment and control apparatus performance; (3) Prompt repair of any defective equipment or control apparatus; (4) The reasonable precautions to be taken to assure compliance with Section 9.15 of Regulation I; (5) A record of all actions required by the plan. The plan shall be reviewed by the source owner or operator at least annually and updated to reflect any changes in good industrial practice".

Section 9.15(b) states: "It shall be unlawful for any person to cause or allow a vehicle to be operated on a paved roadway open to the public: (1) Unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, and except road construction and maintenance by public agencies. (2) With a load of dirt, sand, gravel, or other material susceptible to being dropped, spilled, or otherwise escaping therefrom unless it is covered or has adequate freeboard so as to prevent spillage. (3) With deposits of mud, dirt, or other debris on the vehicle's body, fenders, frame, undercarriage, wheels, or tires. Deposits of particulate matter on a paved roadway open to the public shall be prima facie evidence of a violation of Subsection 9.15(b)".

<u>Time</u>	<u>Description</u>	<u>N/V #</u>
9:00 a.m.	Failed to develop and implement an operation and maintenance plan for maintaining dust-free operation. Caused or allowed particulate matter to be deposited on plant grounds, on apron leading to street, and in high amounts on East Marginal Way South.	27003

Such penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for hearing procedure.)

If such penalty is not paid on or before the last mentioned date, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 15th day of August 1990.

cc: Ed Owens, Vice President
Lone Star Northwest
PO Box 1730
Seattle, WA 98111

This replaces

c.p. # 7216

issued 8/3/90

Control Officer

USEPA SF



1259976

NOTICE OF VIOLATION

Date of Violation: June 27, 1990 at 9:00 a.m.

Name: <u>Lonestar Northwest</u>			
Source Location (Address) <u>5875 E. Marginal Way S.</u>	City <u>Seattle</u>	County <u>King</u>	Zip <u>98134</u>
Responsible Person, Owner or Agent, Title <u>Ed Owens</u>			
Mailing Address <u>P.O. Box 1730</u>		Telephone <u>764-3032</u>	
City, State, Zip <u>Seattle, WA 98111</u>		Cert. Mail No.	

DID UNLAWFULLY CAUSE OR ALLOW VIOLATION OF:

/ REGULATION I OF THE PUGET SOUND AIR POLLUTION CONTROL AGENCY

- ☐ Section 3.05 (b) - Right of Entry Refused
- ☐ Section 6.03 (a) - Installation or Modification of Equipment Without a Permit
- ☐ Section 8.02 - Unlawful Outdoor Fire
- ☐ Section 9.03 (a) - Excess Opacity
- ☐ Section 9.11 (a) - Detriment to Person or Property

☐ Section 9.12 - Odor and Nuisance Control Measures

☒ Section 9.15 b - Fugitive Dust

☐ Section 9.20 - Equipment Not Maintained in Good Working Order

☒ Section 5.05(e) - Operation and Maintenance Plan

WAC 173 - 400 - 040(8)

Description of Violation: Sec. 9.15(b) Particulate matter is deposited on plant grounds, apron to street and in high amounts on E. Marginal Way.

Section 5.05(e) - No O&M Plan for maintaining dust free operation

Issued By Lore Jennings Date/Time 6/27/90 9:16 a.m. Person Receiving Notice Edward Owens 6/27/90
On Behalf of Air Pollution Control Officer Signing this Notice is not an admission of guilt.

THIS VIOLATION MAY SUBJECT YOU TO PENALTIES UP TO \$1,000.00 PER DAY OR INJUNCTIVE ACTION. EACH DAY OF A CONTINUING OR REPEATED VIOLATION IS CONSIDERED A SEPARATE AND DISTINCT VIOLATION FOR PURPOSES OF ISSUANCE OF NOTICES AND ASSESSMENT OF PENALTIES.

CORRECTIVE ACTION NOTICE

→ Under the provisions of Section 3.09 of Regulation I and RCW 70.94.211 you are required to submit a written report within ten (10) days of receipt of this Notice describing the necessary corrective action you have taken or propose to take, including a schedule, to achieve continuous compliance with the regulations, and take the following necessary corrective action:

Submit Have on hand for agency perusal.